

20th August 1955]

SRI M. KALYANASUNDARAM :—“ Sir, I do not propose to make any allegations, but may I suggest to the Government in view of the serious damage, to consider the question of appointing an Enquiry Committee consisting of the District Collector and a Specialist to investigate into the matter by taking evidence from low-paid workers of the station? ”

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—“ Sir, once we get a report, all that can be done.”

DEPUTY SPEAKER :—“ Questions are over.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—PRIVILEGE MOTION *RE* CHARGE-SHEET AGAINST AN AIDED ELEMENTARY SCHOOL TEACHER FOR HIS CONTACTS WITH COMMUNIST LEADERS.

DEPUTY SPEAKER :—“ I have received notice of a Privilege Motion from Sri M. Kalyanasundaram. The hon. Member will now read his motion.”

SRI M. KALYANASUNDARAM :—“ Sir, I wish to raise the following matter of privilege under Rule 179 and to move that the same may be referred to the Committee of Privileges :—

‘ The District Educational Officer, Salem, has issued a charge-sheet under Madras Educational Rule 154 to one Sri K. Chellappan, a teacher of the Amirtha Vilas Aided Elementary School, Rasiapuram. A copy of the charge-sheet is enclosed herewith. The first charge reads as follows :—

“ that he is having close contact with top-rank Communist leaders like Sri M. Kalyanasundaram and Sri P. Jeevanandam who visited his house on 7th August 1953 and 22nd September 1953 for discussing the Party affairs.” ’

“ A contact with us, members of this House, is considered as an offence meriting cancellation of teaching certificate. If we have to discharge our duties effectively as members of this House, it is but proper that we visit different places and institutions and come in contact with people of different walks of life, so that we can gain first hand knowledge of peoples’ problems. Further, the Communist Party to which we have the honour to belong, is a perfectly lawful organization and is one of the main Opposition Parties of this House. Our Party is recognized as one of the All-India parties, by the Election Commission.

“ Judged from these standpoints, the charge made by the District Educational Officer, Salem, is highly disparaging and calculated to bring down the prestige of this House in the estimation of the people.

PRIVILEGE MOTION *re* CHARGE-SHEET AGAINST
AN AIDED ELEMENTARY SCHOOL TEACHER FOR
HIS CONTACTS WITH COMMUNIST LEADERS

[Sri M. Kalyanasundaram] [20th August 1955]

9-40
a.m.

“ Under these circumstances, the action of the District Educational Officer, Salem, is a breach of privilege and the matter should be referred to the Committee of Privileges for suitable action. There are other points also in the charge-sheet, but I am not concerned with them. I am raising this point not with a view to defend the teacher but with a view to defend the honour of this House. Rule 154 of the Madras Educational Rules reads as follows :—

‘ A teacher’s certificate of any grade other than collegiate belonging to teachers employed in elementary schools under the control of the District Educational Officer may, at any time, be suspended by the Divisional Inspector if, on a report by the District Educational Officer or by the manager of the school, the teacher’s character or conduct is shown to be bad or if the teacher is found to be negligent in the discharge of his duties.’

From the charge-sheet, the presumption arises that the mere contact with us (Members of the Legislative Assembly belonging to the Communist Party) by the teacher is treated as a bad character or conduct on his part. If this presumption is tolerated, how can we have any contact with Government officials or with people working in Government undertakings to find out facts to make suggestions for improving the administration? I am afraid we will not have free access even to any members of the staff working under you, because the staff will be afraid of talking to any member of the Opposition Party. I have visited Rasipuram only once in my life. When I was there, the teacher came to me and it is true that I met him and had a talk with him.”

THE HON. SRI C. SUBRAMANIAM :—“ Is it about party affairs? ”

SRI M. KALYANASUNDARAM :—“ It may be I might have talked with him on several things about the educational system but not about the Communist Party. To my knowledge, he is not a member of the Communist Party. Even granting that he is a member of that Party, how is it an offence? Are not members belonging to other parties visiting the houses of Government officials? I know several members of political parties who go and stay with their relatives who are in Government service. In this case there is discrimination against the members of a particular party. So I say that there is a definite breach of privilege. Government should not allow their official to take up such an attitude towards the members of this House.

“ From the Hansard that you are having with you, I anticipate that you will quote the case cited by Mr. Geoffrey Cooper in Parliament to establish that there is no breach of privilege in the case cited by me. The two persons referred to by Mr. Geoffrey Cooper were not employed directly under the Government; they were employed in a corporation. They were dismissed because they were presumed to have given some information to Mr. Geoffrey Cooper. But in this case the allegation is specific and it is given in writing. Further, in this case action is taken by a Government

20th August 1955] [Sri M. Kalyanasundaram]

officer and not by an employee of a private enterprise. If you are going to rely on the case cited by Mr. Geoffrey Cooper, kindly allow me to say that that case has no bearing on the case cited by me."

THE HON. SRI C. SUBRAMANIAM :—" I would like to know whether any action has been taken on the charge-sheet or whether the matter is still pending."

SRI M. KALYANASUNDARAM :—" The matter is still pending."

SRI P. RAMAMURTHI :—" Mr. Deputy Speaker, Sir, the question involved in this motion is not whether the Government have got a right to take action against certain Government servants for their political activities or for their association with certain political activities. The specific question here is that the certificate of a teacher who has been certified to be fit to teach, is attempted to be cancelled on the ground that the teacher contacted some members of this House. It is also stated in the communication that action is being taken under rule 154 of the Madras Educational Rules. That rule says—

'A teacher's certificate of any grade other than collegiate belonging to teachers employed in elementary schools under the control of the District Educational Officer may, at any time, be suspended by the Divisional Inspector, if, on a report by the District Educational Officer or by the manager of the school, the teacher's character or conduct is shown to be bad.'

It does not refer to participation in political activities."

THE HON SRI C. SUBRAMANIAM :—" We are not going into the merits of the case or whether the teacher is likely to be dismissed or not. The point at issue is whether there is any breach of privilege."

SRI P. RAMAMURTHI :—" The teacher's contact with two members of this House is said to constitute bad character and bad conduct. We are not concerned here with Government servants to regulate whose conduct the Government are entitled to frame rules. Here is a teacher in a private aided school. Even assuming that this gentleman discussed certain affairs relating to the Communist Party, I say that the affairs relating to the Communist Party may relate to the activities of the Party in this House, because the Communist Party to-day is a party which is functioning inside the Legislature also. If, for example, Mr. Kalyanasundaram had discussed with that gentleman the activities of the Communist Party inside the Legislature and on ever so many issues concerning the public and the teachers of this State, it is said that this constitutes bad conduct on the part of the teacher. It amounts to saying that we, the members of the Communist Party in this Assembly, are bad characters and that any contact with us by the people constitutes bad character as far as those people are concerned. Therefore it is that the question of breach of privilege comes in.

PRIVILEGE MOTION *re* CHARGE-SHEET AGAINST
AN AIDED ELEMENTARY SCHOOL TEACHER FOR
HIS CONTACTS WITH COMMUNIST LEADERS

[Sri P. Ramamurthi] [20th August 1955]

"I would like to point out that it is a question of not only breach of privilege but also contempt of this House. In Sir T. Erskine May's 'Parliamentary Practice', 'contempt' is defined as follows:—

"It would be vain to attempt an enumeration of every act which might be construed into a contempt, the power to punish for contempt being in its nature discretionary. It may be stated generally that any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt."

If the action of the District Educational Officer has, even by implication, a tendency—it need not have actually produced the result—directly or indirectly to produce the result of obstructing or impeding any Member of this House in the discharge of his duty, that itself will constitute contempt. Obviously we cannot get precedents for such a case, because no officer under the British Government or under the Government of any other country in the Commonwealth would have resorted to such action.

9-50 a.m. "We may not be able to find precedents and even if there is a precedent such action would amount to contempt. That is what I have quoted means. The teachers of this country, of this State are told that any contact with Members of this House who belong to a particular political party will amount to misconduct on their part and therefore they are liable to be dismissed. That would mean that we Members of this House who belong to a particular political party in this House are debarred, are impeded from discharging our functions, that is, we will not be able to discuss with the members of the public—the teachers—affairs relating to educational service, affairs relating to the method of education imparted in schools. If we are debarred, or impeded from contacting the teachers how are we to know the progress of the elementary education scheme?"

THE HON. SRI C. SUBRAMANIAM:—"I think it is all irrelevant to the question."

SRI P. RAMAMURTHI:—"This is very relevant. We are impeded from discharging our duties as Members of this House. By taking such an action against the teacher, the District Educational Officer is impeding me from discharging my function, or it has a tendency to impede. It amounts to actual contempt, apart from the question of privilege of this House. I am not just now concerned with what happens to the teacher, whether he is suspended or dismissed. It is entirely a different matter. I am now only concerned with the proper discharge of my function as a Member of this House. This conduct on the part of the District Educational Officer prevents me from discharging that duty. I won't be able to contact him and talk to him. If it is the intention of the Government to see that no member of the Communist Party in the Legislative Assembly should contact the public and talk to

20th August 1955] [Sri P. Ramamurthi]

them, they could very well frame rules to that effect. But instead, in an indirect way here is a man who suspends a teacher which casts an aspersion on the Members of this Assembly who contacted him. Therefore, there is a case of privilege involved in this matter.

“ There is another case which I would like to refer to. The hon. Member Sri Kalyanasundaram referred to the case of Mr. Geoffrey Cooper. That is a case which is entirely different from the one under discussion now. In that case two workers of the British Airways Corporation had been dismissed, because they had given information regarding the working of a private body to the Members. Under the rules governing employment under that private body, it may be that its employees should not divulge any information regarding the working of the institution. There might have been some such specific rules and these people who were dismissed might have contravened the rules, the rules under which they might have entered into a contract with the institution. Therefore, it is entirely a different thing. Here there is no such thing. There is no such rule that the private teachers who have got certificates should have no contact with the political parties. Nothing of that kind is there. That is not the contract with which they entered service. In the absence of these things, to say that the teachers are liable to be dismissed on the supposition that they came into contact with the Members of the Legislative Assembly, for whatever purpose it might be, is itself contempt of the House. I therefore submit that this matter should be taken very seriously.”

SRI M. KALYANASUNDARAM :—“ One more point, Sir. You will remember that in 1953 the New Elementary Education Scheme, known as the Rajaji Scheme was in operation. There was a campaign carried on against it in the whole State as a result of which it had to be withdrawn. In that connexion I had met several teachers, not only this particular teacher, to just ascertain the position. It was perfectly legitimate for me to contact the teachers in this connexion and also for the teachers to contact the Members of this House to explain to them the merits and demerits of the scheme. I can now divulge that the subject-matter of the discussion with the teacher was in connexion with the scheme called the Rajaji Scheme.”

* THE HON. SRI C. SUBRAMANIAM :—“ Mr. Deputy Speaker, Sir, with your permission I may state that it is not a matter of privilege at all. Even the hon. Members know this. This has been brought on the floor of this Assembly to intimidate the District Educational Officer from taking a particular action as against a particular teacher. As a matter of fact nothing has been done so far. Only charges have been framed and a charge-sheet issued to the teacher calling upon him to explain. If the explanation is satisfactory and if the District Educational Officer is satisfied that nothing wrong has been done by the teacher, then

[Sri C. Subramaniam] [20th August 1955]

he will have to accept the explanation and say no charge has been proved against him. Therefore even before any action is taken against the teacher, if the matter is raised on the floor of this House, it is completely premature. Therefore I beg to submit that it is not with a view to maintain the privileges of the House but only to intimidate the officers from discharging their lawful duties that this matter has been brought before this House. (Interruption.) I am sure officers will not be deterred from taking lawful action simply because certain hon. Members take it into their head to bring such matters before this House. I say it is only trying to intimidate the officers in the discharge of their lawful duties. Supposing the teacher explains satisfactorily that it is no misconduct, it is not bad character, it does not come under breach of rules, the District Educational Officer may accept that explanation and may not take further action at all against the teacher. But hon. Members do not want to wait till then. As soon as the charges are framed and the charge-sheet issued to the teacher, hon. Members raise a matter of privilege here in this House. Therefore whatever might be the result of the action taken against the teacher, whether his explanation is accepted or whether he is punished, even after that it won't be a matter of privilege of this House. On the basis of the punishment imposed on the teacher, perhaps this question might be raised later. But at this stage he has been called upon to give his explanation only, and I submit there is absolutely no question of privilege of this House involved in it.

“ Sir, even taking it for granted that the District Educational Officer takes action against the teacher, what is the allegation made by hon. Members here on the floor of this House? Of course, hon. Members say mere contact with the Communist party members is made an offence. It is not so. I want to make it clear even now that mere contact with M.L.As. or with anybody, even with a thief, is not an offence by itself. But what we have objected to and what we are objecting to is that teachers should not take part in party politics. About that we are quite clear. It may be the Congress politics, it may be the Communist politics, it may be the Socialist politics or Kazhaghham politics, whatever it may be, we have made it quite definite that we are bound to take action if anybody gets involved in party politics.

“ The hon. Deputy Leader of the Opposition was pleased to give some information about this incident. He said he visited the house of the teacher on 7th August 1953 or some other day to ascertain information about the elementary education scheme, and did not discuss it with him. He was pleased to give this evidence on the floor of this House, that he discussed some other affair and not party politics or party affairs. It is open to him to explain that way. That is why perhaps he wanted to take this opportunity to make a statement that he did not discuss party affairs. I hope it will be given due weight because it is coming from the

20th August 1955] [Sri C. Subramaniam]

hon. the Deputy Leader of the Opposition. But that is quite a different thing altogether. He need not have raised it on the floor of this House to mention this. If he had mentioned that to me, I would have taken suitable action on that. To say that any body is entitled to take part in party politics and still continue to be a teacher is a thing to which I am not able to subscribe. I have been firm as far as this matter is concerned. If I am wrong, there are the courts of law. It is open to the teachers to take this to the courts of law and prove that my view is wrong, that it infringes on the fundamental rights of the teachers. The courts can decide that."

SRI M. KALYANASUNDARAM:—"On a point of order, Sir. Now the question before us is with regard to the privilege of the hon. Members of this House. I have not raised this issue for protecting the teacher. It is open to him to appeal or to go to a court of law. I am now concerned with the privilege of the hon. Members of this House. I would request the Hon. Minister to confine himself to that issue."

* THE HON. SRI C. SUBRAMANIAM:—"I wish he had confined himself to it instead of making other statements as to what happened between them. That is quite a different thing altogether. Since the hon. the Deputy Leader of the Opposition raised that matter on the floor of this House, I am entitled to refer to those statements. He cannot now say that I should not refer to them and confine myself only to this or that.

"The question for consideration now is this, whether a person is entitled to take part in party politics and still continue to be a teacher. If the teacher has not taken part in party politics and if the District Educational Officer is convinced that no case has been made out against the teacher, no action could be taken against the teacher. Therefore there is no question of privilege of this House involved in this matter. In any event as I have already submitted it is premature to bring this before this House now. We must wait till action is taken on the charge-sheet."

SRI P. RAMAMURTHI:—"Since the Hon. Leader of the House has made certain allegations, it is very necessary I have to speak on that question. The Hon. Leader of the House says that we could wait because the District Educational Officer has only framed charges and has not passed any final order. The question before the House is whether the framing of a particular charge, which discloses a particular bent of mind, merely because the particular teacher has come in contact with a Member of this House, who belongs to a particular party, itself amounts to misconduct. The Hon. Leader of the House has said that he was firm on the point that teachers should not indulge in party politics. We are not concerned with the policy of Government. They may frame rules and can even go to the extent of withdrawing the certificate

PRIVILEGE MOTION *re* CHARGE-SHEET AGAINST
AN AIDED ELEMENTARY SCHOOL TEACHER FOR
HIS CONTACTS WITH COMMUNIST LEADERS

[Sri P. Ramamurthi] [20th August 1955]

of the teacher. As the rules stand at present, only on the question of misconduct, can action be taken. Under Rule 134, certificate of a teacher could be withdrawn only in case of misconduct or bad character on the part of the teacher. But here no question of misconduct has arisen. Simply because a particular teacher has come in contact with an hon. Member of the House belonging to a Communist Party, be it even for the purpose of discussing party politics or discussing the affairs of the Communist Party, that particular teacher has been charge-sheeted. No question of misconduct or bad character has arisen here. But we are to-day maligned before the entire public as bad characters because association with us means bad character. Therefore, I say, because we, the Members of this House, are thus prevented from even coming into contact with teachers (the teachers are charge-sheeted because they come into contact with us), this is a question with which we are seriously concerned. Had we been interested in this particular teacher, we would have made representations to the proper authorities. But we are not concerned with any particular person. We are firmly of the opinion that a general question is involved in this matter, because the District Educational Officer has thought that mere association with us, for any purposes whatsoever, amounts to bad behaviour or bad character. That is why, Sir, I want to say that this question involves a breach of privilege of the hon. Members of this House."

* THE HON. SRI C. SUBRAMANIAM :—"It is not the honour of the Communist Party that is under question now. I have already explained it in detail. It is not as if the Government consider the teachers indulging in Communist party politics alone as amounting to bad conduct or bad character. It holds good equally with Congress party politics or Kazhagam party politics. What is wrong in certain persons may be quite good to others in other avocations. What we have to take into consideration is whether teachers could indulge in party politics, be it with reference to any party, and whether it be in keeping with the profession which they are holding. As far as we are concerned, we consider such indulging in party politics by the teachers is bad conduct and it is not desirable for the teachers. Whether the rule is right or wrong is an altogether different point and it can be questioned elsewhere. Whether the conduct of this particular teacher amounts to bad conduct or not, that question itself, has not yet been finally settled. The District Educational Officer has not yet passed any final order. He has only asked the explanation of the particular teacher. Under these circumstances, I beg to submit, that no question of privilege has arisen at all, in this particular case."

SRI M. KALYANASUNDARAM :—"The Hon. Minister is attempting to be very impartial. But mere contact with Members belonging to a particular party is treated as an offence. (The Hon. Sri C. Subramaniam : 'It is not so.') If it is not so, I shall be glad. With regard to the advice the Hon. Minister has given to

20th August 1955] [Sri M. Kalyanasundaram]

the District Educational Officers that they should be firm, I might say to the Hon. Minister that this District Educational Officer has already begun to be very firm. The Hon. Minister has said that the District Educational Officer has only called for an explanation from the teacher, whereas the District Educational Officer has gone a step further. In the charge-sheet he has framed, he has asked that the certificate must be sent along with the explanation. If the District Educational Officer has not taken any decision, then why should he ask for the certificate of the teacher. He ought to have waited for the explanation and only after examining the same, he should either call or not call for the certificate. Thus the District Educational Officer has gone a step further than what the Hon. Minister has advised him."

* THE HON. SRI C. SUBRAMANIAM :—" Calling for the certificate is merely a matter of procedure. The District Educational Officer has simply asked that the certificate also should be sent along with the explanation. He has not passed any final order on the explanation. If the explanation is satisfactory and if the District Educational Officer thinks that there has been no misconduct, he may return the certificate to the teacher. The officer has not yet passed any final order. That is the position."

SRI T. C. NARAYANAN NAMBIAR :—" The Hon. Minister has stated that it is only a matter of procedure by which the T.S.L.C. is called for. There is no such procedure as far as the educational rules are concerned. As far as I know, only the explanation can be called for and not the T.S.L.C."

DEPUTY SPEAKER :—" We are not concerned with the educational rules now. We are concerned with the privileges of the House."

SRI S. PANCHAKSHARAM :—" The House may be interested to know from what source this information, viz., that a particular teacher has been charge-sheeted by the District Educational Officer, has been gathered by the Deputy Leader of the Opposition. Has the Deputy Leader of the Opposition been communicated with a copy of the order charge-sheeting the concerned teacher? "

SRI M. KALYANASUNDARAM :—" I have come to know this from the District Educational Officer himself."

DEPUTY SPEAKER :—" I have heard from Sri Kalyanasundaram, the hon. Leader of the Opposition and the Hon. Leader of the House."

SRI M. KALYANASUNDARAM :—" I might make one submission, Sir. There is a matter relevant to this case when the House of Commons took up the question raised by Mr. Geoffrey Cooper. I hope, Sir, you would consider it before you give your ruling."

THE HON. SRI C. SUBRAMANIAM :—" Why do you assume the ruling that would be given by the Chair? "

[20th August 1955]

SRI M. KALYANASUNDARAM :—“ Before the Chair gives its ruling, I want to submit my points.

“ I want you, Mr. Deputy Speaker, to consider the question raised by Mr. Geoffrey Cooper, one of the Members of the House of Commons, viz., whether Government employees and employees working in Government undertakings could come in contact with Members of Parliament and whether the punishment of those employees for coming into contact with Members of Parliament constituted a breach of privilege. The Hon. Speaker has given a ruling as to what exactly constitutes a breach of privilege. May I therefore request you to kindly take note of that point before you give your ruling? May I also submit to you, Sir, to consult some more authorities before you give your ruling? ”

THE HON. SRI C. SUBRAMANIAM :—“ I am sorry the hon. Member should make a suggestion to the Presiding Officer. Here the question does not concern a Government employee but a teacher.”

SRI M. KALYANASUNDARAM :—“ But the District Educational Officer is a Government employee. He thinks that if the teacher comes into contact with Members of this House belonging to a particular party, then it amounts to misconduct. That is why I say, our privilege as Members of the Legislature, has been violated, because association with us by any teacher amounts to misconduct on the part of the teacher.”

DEPUTY SPEAKER :—“ The point to be considered is whether as a result of the proposed action of the District Educational Officer on the teacher any of the privileges of the House or of the Member have been offended.

“ According to Article 194 of the Constitution which defines the privileges of Members, Members have freedom of speech in the Legislature and whatever they say cannot be questioned in any Court of Law and any vote given by them cannot be questioned. In other respects the Legislature has got to legislate. So far no legislation has been brought and till such legislation is brought, the privileges of the Members shall be those of the House of Commons. A note on the privileges of the House of Commons has already been circulated among the members some time back. Among the privileges of the House of Commons, individual Members enjoy freedom from arrest in civil cases only; they also enjoy freedom from serving on juries and they cannot also be called as witnesses whenever the Legislature is meeting. They are also free from molestation while coming to the House or returning from the House. They should not be prevented from doing their parliamentary duties. Apart from these there are no other privileges at all for individual Members.

20th August 1955] [Deputy Speaker]

“As the Leader of the Opposition has stated, the general principle has been stated by May as follows :—

‘Any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty or which has a tendency directly or indirectly to produce such results may be treated as contempt.’

Here it is very clear no obstruction has taken place against the hon. Member, which has a tendency directly or indirectly to produce such results as may be treated as contempt. Therefore this motion cannot come under ‘contempt’ also.

“The matter brought before the House by the hon. Member cannot be brought under any of the items stated above.

“In 1951 there was a case of alleged victimisation of persons giving information to Members in the House of Commons and Sri M. Kalyanasundaram has also referred to it. It is almost similar to the present case. The facts of the case were that on 26th April 1951 in the House of Commons, Mr. Geoffrey Cooper complained that two men who had given him some information on the conduct of an international signals organization had been dismissed from the service of the British Overseas Airways Corporation. He alleged that their dismissal was in consequence of giving him information and that this tended to discourage the giving of information to members of the House. I will read some of the relevant portions :

‘Mr. Geoffrey Cooper.—I wish to ask your advice, Mr. Speaker, about the case of two men dismissed under the excuse of redundancies by a nationalised industry, British Overseas Airways Corporation. From all the evidence I have, I believe the real cause of the dismissal to be that they made contact with me as a Member of Parliament and gave me some evidence. The case on which I seek your guidance is very briefly this. These two men were employed in the British Overseas Airways Corporation signals section. One joined after active service in the Royal Air Force as a member of an aircrew. The other had joined the Corporation much earlier and had risen to a responsible position. The information was given by me to the responsible Ministry, the Ministry of Civil Aviation. After an investigation by the Ministry had been carried out, the case made by these two men was admitted and proved, and changes in the organisation of International Aeradio Limited took place. During the investigation it appears to have become known to British Overseas Airways Corporation and International Aeradio Limited that it was the evidence of these two men which had caused the inquiry to be held.’

“I would ask you, Sir, if a *prima facie* case of Privilege is involved here, because I believe there are indications that this type of case is multiplying, that people employed in nationalised industries and Government organizations are being prevented, or discouraged, from giving information to hon. Members of the House which, rightly, they should receive—and without which hon. Members cannot fulfil their duties in protecting the public interest.”

Mr. Speaker.—“I have listened carefully to what the hon. Member has said, but Privilege cannot extend to a case of that kind. This, no doubt, may be a very desirable matter to discuss in debate on the Vote of the Ministry of Civil Aviation, but no Parliamentary Privilege is actually involved therein. Supposing

[20th August 1955]

[Deputy Speaker]

the hon. Member had been prevented from carrying out his Parliamentary duties in any way, then Privileges would have been affected, but that is not the case and therefore I must rule that there is no *prima facie* case of privilege.

“That is the decision of the Speaker in the House of Commons.”

SRI P. RAMAMURTHI :—“Deputy Speaker, Sir, before you make up your mind on this question, I would like to point out that that case is not analogous.”

DEPUTY SPEAKER :—“I have very clearly pointed out the position. Privilege cannot extend to a case of that kind. What is the Parliamentary Privilege involved here? If the hon. Member Sri M. Kalyanasundaram had been prevented in any way from carrying out his legitimate duties in this House, then only it comes under Privilege. Then Privilege would have been affected. Sri M. Kalyanasundaram can do his duties in the Legislature in spite of the charge and there is no disrespect to the House. This is purely an administrative matter and if the Member wants any discussion on the subject, there are other ways. I, therefore, rule that no *prima facie* case has been made out.”

SRI P. RAMAMURTHI :—“Sir, I accept your Ruling, but, at the same time, I would like to point out that the Chair's function is limited to finding out whether there is a *prima facie* case for the purpose of deciding whether precedence should be accorded in this House for the transaction of this business, namely, discussing this question of Privilege. It is only in respect of that the Chair has got a right to give a ruling. I take it that you have given a Ruling that this question cannot take precedence over the other business. It is certainly open to us to raise this as a question and ask for a discussion.”

DEPUTY SPEAKER :—“If the hon. Member wants, he can bring a separate motion.”

III.—STATEMENT UNDER RULE 40 *RE-SITUATION CREATED BY THE INTRODUCTION OF POWER-LOOMS IN CHINNALAPATTI.*

10-16 a.m. * SRI V. MADANAGOPAL :—“கனம் உதவி சபாநாயகர் அவர்களே, சட்டசபை 40-வது விதியின் பிரகாரம் நான் கொடுத்திருக்கக்கூடிய தீர்மானத்தைப் பிரேரேபிக்கின்றேன். என்னுடைய தீர்மானமாவது :

‘to call the attention of the Government to a matter of urgent public importance, namely, the situation created by the introduction of power-looms in Chinnalapatti.’

தினடுக்கல் தாலுகா, சின்னாஸப்பட்டி கிராமத்தில் 4,000 கைத்தறிகள் இருக்கின்றன. சமீபத்தில் அங்கு இரண்டு விசைத் தறிகள் புகுத்தப்பட்டதன் காரணமாக சமார் பத்து குடும்பங்களுக்கு வேலையில்லாத நிலை ஏற்பட்டுவிட்டது. மேலும் இரண்டு மிஷின்கள் வந்திருக்கின்றன. இதை யும் தவிர மேலும் விசைத் தறிகளைப் புகுத்தவேண்டுமென்று பல ‘மாஸ்டர் வீவர்கள்’ முயற்சி எடுத்துக்கொண்டிருக்கிறார்கள். இதனால் சின்னாஸப்பட்டியிலுள்ள கை நெசவுத் தொழிலாளிகளின் மத்தியில் மிகுந்த பரபரப்பு ஏற்பட்டிருக்கிறது.